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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JEREMY LAPACHET,

Plaintiff,

vs.

CALIFORNIA FORENSIC MEDICAL

GROUP, INC., TAYLOR FITHIAN, M.D.,

LANI ANTONIO, P.A., VERONICA

BERGHORST, R.N., JESSAMAE

TRINIDAD, R.N., GRASHIKA DEVENDRA,

Psychiatric R.N., TABITHA KING, L.V.N.,

AMARDEEP TAWANA, L.V.N., JUDITH

ALEJANDRE, L.V.N. COUNTY OF

STANISLAUS, a municipal corporation,

Stanislaus County Sheriff ADAM

CHRISTIANSON, and DOES 1-50, Jointly

and Severally,

Defendants.

Case No. 4:16-cv-06959-HSG

**STIPULATION AND ORDER RE:
AMENDING SCHEDULING ORDER FOR
CASE ASSERTING DENIAL OF RIGHT
OF ACCESS UNDER AMERICANS WITH
DISABILITIES ACT TITLE II & III (Dkt.
4)**

STIPULATION

The parties, by and through their respective attorneys of record, hereby respectfully stipulate and agree as follows:

1. Whereas, on December 6, 2016, a “Scheduling Order for Cases Asserting Denial of Right of Access Under Americans With Disabilities Act Title II & III (42 U.S.C. §§ 12131-89)” (hereafter “Scheduling Order”) was issued in the instant action, Dkt. 4, presumably due to the inclusion of claims under Title II and Title III of the ADA in the Fifth Cause of Action of the Complaint. Dkt. 1 at 42:9-45:9.
2. The Scheduling Order sets forth a series of successive dates. *See* Dkt. 4 at 1:24-2:8.
3. Although there are Title II and III claims at issue in the instant case, the crux of these claims is different than more common ADA claims, which expressly and exclusively concern the physical condition of property. The claims here concern acts and omissions, as set forth more fully in the Complaint. Dkt. 1 at 42:9-45:9.
4. Due to law and motion matters currently pending in this case, the parties all agree that it would be premature and inefficient to hold a joint inspection at this early stage.
5. Based on the foregoing circumstances, the parties hereby jointly request that the Court extend all of the dates set forth in the current Scheduling Order by three months, which would extend the current deadline of **March 17, 2017** for the parties and counsel to hold the joint inspection of premises to **June 9, 2017**. All of the other deadlines that are tied to the March 17, 2017 deadline would be correspondingly extended.
6. Accordingly, the parties stipulate and respectfully request that this Court enter the Order below, amending the Scheduling Order (Dkt. 4) as follows:

The current deadline of March 17, 2017 for the parties and counsel to hold a joint inspection of the premises shall be extended to June 9, 2017, and all preceding and subsequent deadlines that are tied to this deadline shall be correspondingly extended.

1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

2 Dated: March 14, 2017

LAW OFFICE OF SANJAY S. SCHMIDT

3 /s/ Sanjay S. Schmidt

4 SANJAY S. SCHMIDT

Co-Counsel for Plaintiff

5 JEREMY LAPACHET

6 Dated: March 14, 2017

BERTLING & CLAUSEN, LLP

7 /s/ Jemma Saunders*

8 JEMMA SAUNDERS

9 Attorneys for Defendants CFMG, Fithian, Antonio,

Berghorst, Trinidad, Devendra, King, Tawana, Alejandre

10 Dated: March 14, 2017

RIVERA & ASSOCIATES

11 /s/ Jesse Manuel Rivera*

12 JESSE MANUEL RIVERA

13 Attorneys for Defendants County of Stanislaus, Sheriff
14 Adam Christianson


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16 *Ms. Saunders and Mr. Rivera give their consent to file this stipulation with their
17 electronic signatures.

ORDER

PURSUANT TO THE STIPULATION ABOVE, AND GOOD CAUSE APPEARING THEREFOR, IT IS SO ORDERED. The Scheduling Order (Dkt. 4) shall be amended as follows: The current deadline of March 17, 2017 for the parties and counsel to hold a joint inspection of the premises shall be extended to June 9, 2017, and all preceding and subsequent deadlines that are tied to this deadline shall be correspondingly extended.

IT IS SO ORDERED.

Dated: March 14, 2017


Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT COURT